

ANDOVER BOARD OF HEALTH
Minutes
July 14, 2014, 6:00 P.M.
CD&P First Floor Conference Room
36 Bartlet Street

The Board of Health Meeting was called to order at 6:04 p.m. Present were Ms. Candace B. Martin, Chairman, Ms. Katherine Kellman, Vice-Chairman, Gopala K. Dwarakanath, M.D., Clerk, and Mr. Thomas G. Carbone, Director of Public Health.

I. Approval of Minutes

- **June 9, 2014**

Motion by Ms. Martin, seconded by Dr. Dwarakanath, to approve the Minutes of June 9, 2014. Unanimous approval. Ms. Kellman abstained.

II. Appointments & Hearings

- **6:00 p.m. – Building 3, Unit 313, Casco Crossings – Status Review of Outstanding Orders** – Matthew Gardner, Casco Crossing Manager, was present for an update. Ms. Martin stated that the status is that all the issues with entrances and other issues are complete except the sidewalk re-grading and paving. Ms. Martin asked Mr. Gardner if plans were developed and then submitted to State for ADA compliance. He verified that they did do that at a meeting today with the Architectural Access Board. He stated that Vernon Woodworth was hired to assist them. There is a compliance schedule timeline because the sidewalks and walkways were something that they brought up also. There is a lot of new grading that needs to be done on the site. They approved a completion date of November 1, 2014 to replace the sidewalks, walkways, and all the public entrances to each building. They also need to build ramps or regrade to level the entrances. They needed to be sure which way they were going to go, so that is why the paving was not done in June. Originally just the sidewalks were going to be done; the new scope is that everything will be done. Mr. Stapinski, owner, has all the information about when the work will be started. A contractor has been selected to do the work. There are still a few things that need to be figured out in regards to engineering. A lot of paving as well as landscaping will have to be done because it is three to four acres of land. There are some curbing issues that need to be dealt with as well. Ms. Martin stated that the Board would require a written update for the September 8, 2014 Board of Health meeting.

Motion by Ms. Martin, seconded by Ms. Kellman to continue the Hearing to the September 8, 2014 Board of Health Meeting with an update to be provided to the Health Division by September 3, 2014. Unanimous approval.

- **6:05 p.m. – Building 1, Unit 118, Casco Crossings – Status Review of Outstanding Orders** - Mr. Carbone explained to the Board that the electrical power to the pumps is the last part to be completed. The Electrician will be in to pull the permit. The drainage system is installed and the pumps are in. The wallboard has been removed, cleaned and re-sheetrocked.

Motion by Ms. Martin, seconded by Ms. Kellman to close the Hearing with no further action pending completion of electrical outlets that have to be permitted through the Building Division. Unanimous approval.

III. Discussion

- **Regional Hoarding Task Force Grant Application** – Mr. Carbone informed the Board that our Intern, Danielle Molloy has been working on preparing a Grant application and on putting a task force together. We have the support from Police, Fire, and Building Departments, Town Manager's Office, and Elder Services. He has been in touch with Sue Sawyer, Health Director in North Andover, and she is very interested in participating. Our goal is to request the maximum amount of the Grant money to help fund this. We are working on bringing on a social worker to help us get things together and do the research. We have been in touch with the School Department to see if someone there would be interested in participating. If we cannot work that out, we can bring someone in as a Consultant. Mr. Carbone would like to model after what the Town of Arlington has done with their Task Force. They got a good Grant and have a functioning workgroup together. Ms. Martin asked if it would be possible to get one of their participants to help us with this. Mr. Carbone thought that would be a good idea and stated that one of the proposals for us is to bring in some training. We can talk about what the Task Force can do, so Mr. Carbone will contact Christine Sharkey who is his contact there to see if she can help us. Ideally we are treating this as a mental health issue. This makes it hard since we are the enforcement group, so maybe this will help us refocus and get a better plan together.
- **ViewPermit Discussion** – Mr. Carbone informed the Board that he had a Meeting in North Reading and found there were some interesting comments concerning ViewPermit. His colleagues from North Reading and Salem were there. Mr. Larry Ramden who was the Director in Reading and now Salem selected ViewPermit. The meeting was set up after Mr. Carbone made a suggestion to form user groups to find some commonality. The IT person in North Reading finally got things together. The Fire Department had done a round table about a month before and ViewPoint team was at table, and there was a lot of frustration with the them because they had not provided them with what they promised. Mr. Carbone stated that he felt we in Andover are in better shape now than we were in the past.

We were discussing online inspection reports at this meeting and the desire for us to go paperless. We were originally told we should be able to do this with no problem. The representative from ViewPoint stated that they had done several changes for us and at some point would need more money. Mr. Carbone told him that we bought this

program for it to do what they promised it would do. He stressed that they have not made changes for us, they have made changes to make the program work.

Mr. Carbone informed the Board that the Techs we worked with originally are not our contacts any more. Salem, North Reading and North Andover all employ the same part-time person as a Consultant, Don Miller, to help us with the implementation. By having the same Consultant, the participating communities can marry all of our comments and make it a stronger product.

- **Permit Process and Flow Charts (not on Agenda)** – Ms. Martin asked about the new Karma Restaurant in Shawsheen Square and wondered if we could pilot them to see how our timeline worked. Mr. Carbone responded that the owner had a lot of problems with the build-out and is taking a lot of time, so this would not be a good example.
- **Foam in the Shawsheen River** – Mr. Carbone informed the Board that he got a picture from DPW on Wednesday night showing foaming suds in the Shawsheen River. Conservation was having a meeting upstairs, so they went out to look at the River. The next morning they determined that the plane crash at Hanscom a few nights before had used a cleaning foam. They were pretty confident no fuel was in the foam. The product dissolved off into the water, but reformed at the Ballardvale dam. The DEP realized that when the foaming agent hit turbulence, it formed the suds. The formulation of the product is designed to keep fumes from escaping, not to soak up fuel.
- **Mosquitoes Update (not on Agenda)** – Mr. Carbone stated that there have been no positive results in this area yet. Hyde Park was the first to have a positive test last week. He was not sure how this year compares to the previous years. In the past we have seen West Nile Virus (WNV) around the 4th of July weekend. We usually check at the beginning of August to see where we are at because typically August is the month with the highest risk for EEE and WNV. September is when we start to see the activity drop. There is a worry that the virus is multiplying, but it is getting harder to attack the adult mosquito because they are less active at this time.

IV. Old Business

- **7R Lowell Junction Road** – Mr. Carbone informed the Board that all issues have been resolved, and the property is now connected to sewer. Mr. Carbone got the Afshins' signatures on the court paperwork stating that the work was complete and was able to bring the paperwork to the courthouse Wednesday afternoon and avoid appearing in Court Thursday afternoon.

Motion by Ms. Martin, seconded by Ms. Kellman, to close the Hearing with no further action, and to remove the Condemnation Hearing from the August Board of Health Meeting Agenda since all issues are resolved. Unanimous approval.

- **Animal Task Force Update (not on Agenda)** – Mr. Carbone stated that he planned to take the Animal Regulations that we have now, and update them. Mr. Carbone informed the Board that there is no Task Force in place yet. Mr. Carbone estimated that hopefully he will have something for the Board by the September Board of Health Meeting. He is hoping to get some Grant money to help with the development of the Task Force.

V. Subdivision Definitive Plans

- N/A

VI. Plan Review

- **DWRP – Variances/Local Upgrade Approval**
 - **213 River Road – LUA's to Allow Sieve Analysis in Lieu of Perc Test, Allow SAS to be 73' to a Wetland Bordering a Surface Water Supply (100' Required), SAS to be 16' from Foundation (20' Required)** – Mr. Carbone informed the Board that the LUA's have been withdrawn per the request of the Design Engineer who requested the LUA to be deferred to the August 11, 2014 Board of Health Meeting.

Motion by Ms. Martin, seconded by Dr. Dwarakanath, to defer the discussion of the LUA for 213 River Road to the August 11, 2014 Board of Health Meeting. Unanimous approval.

- **29 Sagamore Drive – LUA to Allow the Septic Tank and Pump Chamber Inlet and Outlet Tees to be Less Than 12" Above SHWT** – Mr. Carbone informed the Board that this is the second or third version of the plan that has been submitted. There have been some issues with the test holes at this property. Mr. Carbone consulted with the Health Director in North Reading because he was concerned with how it had been designed and thought it would need additional LUA's. The Leach field was in the hill, so it was moved downward, but the groundwater is about a foot below the outlet. There is not a lot to do about this, but we can engineer around it. Ideally we would use a monolithic pour tank, because the seam is on the top. There is an issue getting a big truck through the property because of the hill, so they may end up needing a fiberglass tank; however fiberglass is so light the tank may float. Still won't change the distance, but our goal is not to get groundwater leaching into the system. Discussion followed as the Board Members looked over the plans. Ms. Martin asked if this was a Title V failure and Mr. Carbone confirmed that. There were issues with possible flooding of the leach field, barrier issues, and plumbing issues. Mr. Carbone was confident we can take care of the issues the way this plan is designed. Health Staff will do some extra inspections to make sure the seam is not leaking. What the Board is looking for with this LUA is the piping. They now sell tanks with rubber boots attached and the pipes go through the tank and are clamped by the rubber boots on either side. Questions arose about the rubber

boots and how durable they are since they are fairly new, and the Board found the details on the plan. Mr. Carbone stated that he performed an inspection last week on a system with the boots and the contractor told him that the tank sits well and is fairly easy to use.

Ms. Martin confirmed with Mr. Carbone that they Board was approving the LUA for the Septic Tank and the pump chamber. Mr. Carbone's best guess is this system will probably be 10" below and is not confident they will make the 12" requirement. Mr. Carbone is confident the pipes will be above the groundwater. This plan fulfills the need to get the tank and pump chamber above the water table. Ms. Martin was concerned that if the Board approves this LUA, it sounds like the Board is allowing anything below 12" to be acceptable. When asked how much the lowest measurement Mr. Carbone would be comfortable with, he stated that 6" would be acceptable. Dr. Dwarakanath did not want this to become a precedent. Mr. Carbone assured the Board that this should not set a precedent because there are very few instances where this type of LUA would be needed and this is a very infrequent request.

Motion by Ms. Martin, Seconded by Ms. Kellman to approve the LUA to Allow the Septic Tank and Pump Chamber Inlet and Outlet Tees to be less than 12" above the SHWT, but greater than 6", and require them to explore the option of the use of a monolithic tank if possible.

Discussion followed. Dr. Dwarakanath stated that Mr. Carbone stated that 6" is acceptable, so should we limit 6" or would 4" be enough. Ms. Martin asked that if they are making sure that they are keeping the slope but keeping as much above the water table as possible that it just means they will have to take added care for the installation, or does it not matter. Dr. Dwarkanath suggested the Board say to keep it as high as possible instead of requiring 6" exactly. Ms. Kellman stated that she likes to give people a target and not be so vague. Ms. Martin stated that she did not think 6" was an unreasonable target and if they cannot achieve it, would the Board have to reconsider the LUA. Mr. Carbone stated that he would then advise the Board to come back with ratification later. Ms. Kellman asked if the Board could give Mr. Carbone the authority to approve the LUA for less than 12" but no more than 6" less if need be. Ms. Martin stated that she would not be comfortable with that, and Mr. Carbone stated that he would let the Board know if there were any issues.

After discussion, the Motion as stated above had unanimous approval.

VII. Staff Reports

A. Director's Reports:

- **Important Dates:**

- July 19 - 30, 2014 – Director's Vacation

- August 11, 2014 at 6 p.m. Board of Health Meeting
- September 8, 2014 at 6 p.m. – Board of Health Meeting

B. **Nurses' Report for June, 2014** – The Nurses' Report for June, 2014, were for informational purposes only.

C. **Inspectors' Reports for June, 2014** – The Inspectors' Reports for June, 2014, were for informational purposes only.

VIII. Board Member Reports

- **Boston Sports Camp Update (not on Agenda)** – Mr. Carbone informed the Board that he billed 9 ½ hrs of overtime to the Boston Sports Camp to get them up and running. Ms. Patricia Crafts, Health Agent, and Ms. Jane Morrissey, Health Nurse, worked very hard to get approvals completed so Boston Sports Club could open on the time schedule they wanted.

Ms. Martin asked if we wanted to send out multiple notices next year so that all camps can be aware of what is needed to complete the process so that this doesn't happen again in the future. Mr. Carbone replied that it has been a couple of years since we had a Summer Camp Meeting, and we are planning on doing that again next year. The camp applicants need to be aware that there are several camps opening at around the same time, and the paperwork needs to be submitted in a timely manner. The last couple of years we created a calendar worksheet for them with a timeline of what they needed to do instead. Dr. Dwarakanath stated that he would like Boston Sports Camp to be told that this was an exception for this year, but that the Board will not make exceptions in the future because they didn't do what they were supposed to do. Mr. Carbone stated that his main concern at the time was with the parents who depended on the camp being open and the children who were to attend as well.

IX. Adjournment

Motion by Ms. Martin, seconded by Ms. Kellman, to adjourn at 7:02 p.m. Unanimous approval.